



**Before The
Federal Communications Commission
Washington, D.C. 20554**

In The Matter Of

Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Telecommunications Carriers Eligible for Universal Service Support)	WC Docket No. 09-197
)	
Connect America Fund)	WC Docket No. 10-90

**COMMENTS OF EDUCATIONAL BROADBAND SERVICE AGENCY LLC
(d/b/a Mobile Beacon)**

Educational Broadband Service Agency LLC (“Mobile Beacon”) respectfully submits comments in response to the Second Further Notice of Proposed Rulemaking on Lifeline reform and modernization released on June 22, 2015 (“Second FNPRM”).

I. Background

Mobile Beacon was founded in 2010 by the North American Catholic Educational Programming Foundation Inc. (“NACEPF”). NACEPF is a 501(c)(3) nonprofit organization and one of the largest national Educational Broadband Service (EBS) spectrum licensees in the country, with 52 licensed stations located in large, metropolitan market areas as well as many rural, underserved regions of the United States.

All of NACEPF’s EBS license rights are subject to excess-capacity agreements with Clearwire Corporation and its subsidiary, Clearwire Spectrum Holdings II (“Clearwire”), now owned indirectly by Sprint Corporation. As part of these agreements, NACEPF is entitled to receive broadband accounts in exchange for making its EBS spectrum rights available to Clearwire.

These agreements have enabled Mobile Beacon to offer \$10/month unlimited data plans and low-cost 4G devices (~ \$40 per device) not only in our licensed markets, but anywhere in the Clearwire WiMAX national network.¹

As a service organization of an EBS licensee, Mobile Beacon's mission is to develop programs that use broadband to support educational institutions in delivering equal educational opportunities to students of all ages and abilities. Over the last five years, we've helped nonprofits across all sectors get affordable, mobile, high-speed broadband access and extend that access to individuals in their communities who need it most.

II. How Educational Broadband Service Helps Close the Homework Gap and Digital Divide

We believe broadband is one of the greatest equalizers of our time, which is why Mobile Beacon's flagship program is the i3 Internet Inclusion Initiative. Through this initiative, we offer a variety of programs that funnel our affordable, \$10/month service through nonprofits, schools, libraries, and other community anchor institutions (CAIs) to help connect low-income Americans to the tools they need to improve their lives.

The case studies below demonstrate how our programs have reached the same groups of people that the Lifeline program seeks to serve, including low-income adults and their school-age children, seniors, and those living in rural areas.

Burton Middle School, Porterville, CA

The Burton School District (BSD) is located in California's central San Joaquin Valley in a semi-rural, agricultural-oriented community. BSD serves many families that migrate throughout the school year in order to follow seasonal job opportunities. As a result, about 25 percent of their families do not have access to Internet at home. For the 2014-15 academic year, Burton Middle School (BMS) implemented a 1:1 initiative and each student was given a Chromebook with a built-in data connection. Initially, Internet access was funded by E-rate, but in the middle of the school year, they received word that their funding was in question.

BMS used Mobile Beacon's low cost offer in place of E-Rate subsidies to continue the program with 150 of our Wi-Fi modems. These modems provided unlimited Internet access on the WiMAX network for the student as well as all members of the household. Initial feedback showed teachers were pleased that they could continue the "no excuses" philosophy of their 1:1 program, and many parents reported they had taken advantage of the opportunity to further their own education and research needs as well.

¹ Sprint has announced that it plans to decommission the Clearwire WiMAX network in November 2015.

“Mobile Beacon really saved the heart of the program, which is closing the digital divide, so it’s been a life saver.” – Alex Tietjen, Academic Technology Coach, Burton School District

New York Public Library, New York, NY

New York Public Library (NYPL) reached out to Mobile Beacon after a survey of patrons revealed that 55 percent of those utilizing free Internet and computers in NYPL’s branches did not have broadband access at home. That number increased to 65 percent among patrons with a household income below \$25,000. Realizing the demand for Internet access exceeded what NYPL could provide within its own walls, NYPL set out to demonstrate a new model of public service by “loaning out the Internet” via portable Wi-Fi modems to patrons.

For the initial pilot, Mobile Beacon provided 100 Wi-Fi modems with unlimited 4G WiMAX data plans, which NYPL loaned out to patrons participating in one of its Out of School Time (OST) programs. Key findings included:

- Patrons spent an average of three hours per day using the Internet (compared to a 40-minute session using a library workstation).
- The majority of time spent online was between 6-11 pm when the library was closed.
- Respondents indicated frequent usage of library-recommended learning resources.
- Patrons used an average of 9 GB of data per month.
- The majority of participants reported they have gained confidence in both their own and their children’s ability to use the Internet.
- 86% of pilot participants reported they would renew this service.

The results of this pilot helped NYPL secure a grant from the Knight News Challenge, an initiative of the John S. and James L. Knight Foundation, Open Society Foundations, and Robin Hood Foundation, and an additional \$1 million donation from Google.

This funding enabled NYPL to expand the 100 unit program to 10,000 mobile hotspots, making it the largest library Internet lending program of its kind. The Internet service is provided by Mobile Beacon and Sprint on the Sprint Spark LTE network² and it is being offered throughout NYPL’s 88 branches, as well as through Brooklyn Public Library and Queens Library.

Each library system set its own eligibility and program terms. Brooklyn Public Library (BPL) keeps a number of devices reserved for special interest groups like seniors and homeless persons. For example, as part of their immigrant services, BPL lends devices to students in their citizenship class so they can study outside of class. BPL is also developing a partnership with the

² Subscribers to Mobile Beacon’s service on Sprint’s LTE network will not be impacted by the WiMAX shutdown planned for November 2015.

NYC Department of Homeless Services to open outpost libraries in eight family centers in Brooklyn, and they plan to start lending hotspots out of those sites.³

Providence Housing Authority, Providence, RI

The Providence Housing Authority (PHA) not only provides safe, affordable housing to Rhode Island residents, but its mission also includes addressing residents' economic needs and offering a bridge to a better future. One-fifth of its residents don't have Internet access at home, making it harder for them to find and apply for jobs, sign up for an affordable healthcare plan, continue their education, or participate in other essential online functions.

PHA developed a "Get Connected" program, an innovative public-private partnership among PHA, Broadband Rhode Island (BBRI) and Mobile Beacon. This pilot program began with six weeks of bilingual digital and financial literacy training for 25 adult residents of the Manton Heights housing community.

Participants who graduated from the program received a donated laptop computer, a donated 4G Wi-Fi modem, and six months of free Internet service from Mobile Beacon. At the end of the free Internet service period, residents were able to sign up for Mobile Beacon's ongoing unlimited Internet service for \$10/month through EveryoneOn.org's platform.

For many residents, this program was the first time they have owned a computer and enjoyed their own Internet access. They described heartfelt feelings of pride and accomplishment at the graduation ceremony, as well as a desire to continue the program. Graduates established a DigiClub so they could meet monthly and continue to share information and support one another. The pilot program also helped PHA secure a 2014 Olneyville Community Fund grant from United Way of Rhode Island, which they will use to sustain the Get Connected initiative.

Housing authorities are often the gateway for delivering many services to low-income Americans which the Lifeline program aims to serve. The important role housing authorities play in reaching this target demographic is further evidenced by the recent launch of President Obama's ConnectHome Initiative and the Administration's ambitious goal of connecting over 275,000 low income households in assisted housing across 28 cities.

RI Family Literacy Initiative, Providence, RI

RIFLI is an adult education agency that offers programs to immigrants ranging from beginner English as a Second Language (ESL) classes to Career and College Transitions preparation. An estimated one third to one half of its students did not have Internet access for homework and skills practice between classes.

³ McKenzie, Jessica. "Lending Wi-Fi Program Chips Away at Digital Divide, But For How Long?" Editorial. Civicist, 27 Aug. 2015. Web. 31 Aug. 2015.

Mobile Beacon provided low-cost mobile Wi-Fi hotspots which RIFLI students borrow for the duration of classes. Students are now passing digital literacy assessments at a faster and higher rate than before the device lending, and feedback continues to be tremendously positive.

Each of these case studies underscore the importance of engaging different kinds of community anchor institutions in the digital inclusion process. Even with low costs, high-speeds and unlimited capacity, access alone will not bridge the divide. Individuals need the support provided through the well thought out and well-maintained programs that schools, libraries, nonprofits, and other CAIs offer.

One such digital inclusion champion, Next Century Cities, a project of New Venture Fund, a 501(c)(3) nonprofit organization, states:

“High-Speed Internet Is a Community-Wide Endeavor. Building effective next-generation networks requires cooperation across communities. It is critical to involve and include multiple stakeholders and perspectives to succeed, including businesses, community organizations, residents, anchor institutions, and others. Everyone in a community should be able to access the Internet on reasonable terms.”

III. Service Levels

The Second FNPRM asks for comments about setting minimum service standards for fixed and mobile broadband offerings. The section starts by reminding us of the mandate from Congress that low-income Americans should have access to “comparable” advanced telecommunications and information services. We take great pride in having been able to provide Clearwire’s highest level of retail service to the education and nonprofit sectors at a fraction of the cost. Like Commissioner Clyburn, we believe that when it comes to serving those with the greatest need within our communities “second-class or inferior service is unacceptable.”⁴

Regarding fixed broadband service, we agree with the Commission’s stance that both speed and capacity should be used to evaluate the sufficiency of this service. As an EBS-delivered service, this topic is highly important to us. Although we offer what most would categorize as a 4G mobile service, many of our subscribers use this service in a fixed capacity. For example, in our rural EBS licensed markets, a significantly higher percentage of schools use our service as their primary source of Internet access within the school building as other options for Internet access are either not available or cost-prohibitive.

⁴ Statement of Commissioner Mignon L. Clyburn. Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42, Telecommunications Carriers Eligible for Universal Service Support, WC Docket No. 09-197, Connect America Fund, WC Docket No. 10-90.

Additionally, thousands of low-income individual subscribers (“Digital Divide Subscribers”) use our service through nonprofit distribution partners like EveryoneOn, PCs for People, People’s Emergency Center and Connecting for Good.⁵ These Digital Divide Subscribers often use our mobile hotspots as a fixed service and they tend to consume large amounts of data as they do not have the ability to offload data on to a different fixed residential connection.

The Commission has asked for comments or recommendations on a minimal level of capacity for fixed broadband service that could be easily updated on a regular basis to keep pace with changes in technology. While we do not have a specific recommendation, we have gathered valuable usage data over the last five years. We would be happy to share average monthly usage data for our Digital Divide Subscribers with the Commission so it can compare actual usage trends against proposed, theoretical usage limits that may be presented during this proceeding.

As a general note, in evaluating the role EBS spectrum can play in supporting the goals of the Lifeline program, it is important to understand the symbiotic relationship EBS licensees have with their commercial lessees. With few exceptions, EBS licensees are dependent upon broadband access accounts provided to them by their excess capacity lessees to offer these needed broadband services. The common practice is for the EBS lessee, which is generally Clearwire or a Clearwire affiliate, to lease the EBS excess spectral capacity in exchange for a payment of royalties and the provision of these “bartered” broadband service accounts to the EBS licensee. These are the accounts that Mobile Beacon provides to educational institutions and others who generally have no other viable broadband alternative. Clearwire has made available to EBS licensees truly “unlimited” broadband accounts, providing high throughput speeds and uncapped monthly data budgets which are needed by educational institutions and libraries to meet their broadband needs, particularly rural institutions that may lack a suitable broadband alternative. Less than a year ago, Sprint (who now controls Clearwire) announced that it would shutter the Clearwire WiMAX platform this November, which has created considerable doubt as to whether EBS licensees will continue to receive the higher throughput, uncapped, and unthrottled accounts that had been made available to NACEPF and many others by Clearwire. In the event that Sprint imposes data caps/allocations or other restrictions on the services educators like NACEPF have received from Clearwire, the continued utility of these bartered broadband accounts for service to many schools, nonprofit organizations, and libraries would be placed in jeopardy.

⁵ We also note that organizations like the nonprofit distribution partners listed here should be considered a viable alternative to commercial service and the current definition of ETC. We support allowing these organizations to participate in the Lifeline program.

IV. Opportunities to Expand EBS Service to Support Lifeline’s Educational Goals

Regarding the homework gap, Mobile Beacon agrees with the Commission’s conclusion that “no one program or entity can solve this problem on its own and what is needed is many different organizations, vendors, and communities working together to address this problem.”⁶ While Mobile Beacon on its own – or even the EBS industry as a whole – cannot be the *sole solution* to closing the homework gap for low-income Americans, we strongly believe that EBS should be *part of the solution*.

Mobile Beacon’s model of partnering with schools, libraries and other community anchor institutions has proven successful. It continues to be our experience that in the absence of low-cost commercial broadband service, CAIs, schools and nonprofit organizations continue to craft new solutions to an old problem on a local level. These trusted local sources on the front lines augment our affordable broadband offering with digital literacy training, additional research and support services, and computers. These elements are all required to complete the trifecta of successful digital inclusion – access, training, and devices. The FCC should allow these community-based organizations and non-ETCs to participate in the Lifeline program.

Additionally, there may be opportunities to modernize some of the rules and requirements for EBS licensees which would help to expand EBS in support of the educational goals of the E-Rate and Lifeline programs. For example, the rules around educational use require unaccredited EBS licensees to provide service to “accredited public and private schools, colleges and universities providing a formal education and cultural environment to students”,⁷ but this could be expanded to a broader range of educational institutions including public libraries, early education schools, and adult education learning centers that focus on key educational priorities such as digital literacy, GED certification, ESL training, or developing marketable job skills. In this regard, EBS could be better positioned as a platform that supports “lifelong learning.”

Another possibility would be to revisit the § 27.1214(b)(1) requirement that a licensee must reserve a minimum of 5% of the capacity of its channels for educational uses consistent with § 27.1203 paragraphs (b) and (c). The Commission could evaluate whether 5% of the capacity is sufficient to accomplish the FCC’s vision for the utilization of EBS given the rising demand for broadband service. Alternatively, the Commission could shift this requirement from being a “holdback requirement” to becoming an active deployment requirement. We encourage the Commission to reach out to EBS licensees to explore ways this reservation could be more directly used to support the educational goals of its national programs.

Lastly, while the majority of EBS licensees lease their excess capacity to a commercial entity, there are several licensees that have built and deployed their own networks to serve their

⁶ See Second FNPRM, para. 22.

⁷ Rule 27.1201(a)(3), 47 CFR § 27.1201(a)(3).

students. The Commission should investigate these models and leverage an aggregator like EveryoneOn to help match up opportunities with EBS licensees in communities looking to start a community broadband initiative. If EBS spectrum was used in this deployment to serve schools as well as other CAIs, it would be another avenue to increase utilization of this spectrum.

V. Conclusion

We appreciate the Commission's consideration of EBS as part of the solution to close the digital divide in education as part of the Lifeline program reform. Recognizing how important broadband is to delivering educational services, the FCC showed great foresight in maintaining a spectrum band exclusively to support educational use. As one of the many custodians of that mission, Mobile Beacon welcomes the opportunity to discuss ways we can continue to put this spectrum to use for our common interest: advancing educational services for students of all ages and abilities.

We appreciate the opportunity to comment on this important digital inclusion matter and we will make ourselves available to answer any questions regarding our comments. Additionally, if there are opportunities to pilot additional and innovative uses of EBS spectrum, we would be highly interested in participating.

In closing, we want to echo Commissioner Clyburn's comment that "Access Delayed is Access Denied." Modernization of the Lifeline program is a national priority whose time has come.

Respectfully submitted,

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